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SERIAL NUMBER FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. 08/241,109 05/11/94 DICELLO MP1498US1 EXAMINER 32M1/0901 TIMOTHY H. P. RICHARDSON **ART UNIT** PAPER NUMBER RAYCHEM CORPORATION MAIL STOP 120/6600 300 CONSTITUTION DRIVE 3206 MENLO PARK, CA 94025 DATE MAILED: 09/01/95 This is a communication from the examiner in charge of your application. COMMISSIONER OF PATENTS AND TRADEMARKS This application has been examined A shortened statutory period for response to this action is set to expire ______month(s), ______ days from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133 Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION: 2. Notice of Draftsman's Patent Drawing Review, PTO-948. 1. Notice of References Cited by Examiner, PTO-892. 3. Notice of Art Cited by Applicant, PTO-1449. 4. Notice of Informal Patent Application, PTO-152. 5. Information on How to Effect Drawing Changes, PTO-1474... Part II SUMMARY OF ACTION /- ころ _____ are pending in the application. Of the above, claims ______ are withdrawn from consideration. 2. Claims have been cancelled. 3. Claims _____ 4. Claims 5. Claims 6. Claims are subject to restriction or election requirement. 7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes. 8. Formal drawings are required in response to this Office action. 9. The corrected or substitute drawings have been received on ___ _. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948). 10. The proposed additional or substitute sheet(s) of drawings, filed on ______ _. has (have) been approved by the examiner; disapproved by the examiner (see explanation). ____, has been approved; disapproved (see explanation). 11. The proposed drawing correction, filed __ 12. Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has been received not been received ☐ been filed in parent application, serial no. ______; filed on ______ 13. 🔛 Since this application apppears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213. 14. Other

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1. Restriction to one of the following inventions is required under 35 U.S.C. 121: Group I. Claims 1-21, drawn to a method, classified in Class 29, subclass 423. Group II. Claims 23, drawn to a tube, classified in Class 138. The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions of Group I and Group II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (M.P.E.P. § 806.05(f)). In the instant case, the product as claimed can be made by another and materially different process such as making a metal tapered tube by casting.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

- 4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 C.F.R. § 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 C.F.R. § 1.48(b) and by the fee required under 37 C.F.R. § 1.17(h).
- 5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc W. Butler whose telephone number is (703) 308-1787.

Marc W. Butler EXAMINER

ART UNIT 3206

PRIMARY EXAMINER
GROUP 3200

m.w.b. August 28, 1995